



Jay Breneman, Chairman  
Kathy Fatica, Vice Chairwoman  
Edward T. DiMattio  
Dr. Kyle Foust  
André R. Horton  
Fiore Leone  
Carol J. Loll

**COUNTY OF ERIE  
BOARD OF ELECTIONS**

Erie County Courthouse  
140 West 6<sup>th</sup> Street, Rm. 114  
Erie, PA 16501

**ERIE COUNTY BOARD OF ELECTIONS**

**Regular Meeting Agenda**

November 18, 2016

Noon

1. Call to Order
2. Roll Call
3. Hearing of the Public
4. Approval of Minutes of Previous Meeting
  - A. September 29, 2016 – Special Meeting
5. Post-Election Overview
6. Certification of Results from 2016 General Election
7. Adjournment

September 29, 2016

ERIE COUNTY BOARD OF ELECTIONS – Special Meeting

Chairman Breneman called to order the Special Meeting of the Erie County Board of Elections at 4:34 p.m. in the Erie County Council Caucus Room.

Mr. Smith then called the roll:

Members Present:     Mr. Breneman  
                             Mrs. Fatica (Via telephone)  
                             Dr. Foust (Via telephone)  
                             Mr. DiMattio  
                             Mr. Horton  
                             Mr. Leone  
                             Mrs. Loll (Via telephone)

Members Absent:     None.

Also Present:         Douglas R. Smith, Clerk of Elections  
                             Kimberly Alexander, Elections Supervisor

3.     **Hearing of the Public:**         None.

4.     **Approval of Minutes:**

Mr. Leone moved to approve the minutes from the September 20, 2016, Regular Meeting. This was seconded by Mr. Horton and carried in a unanimous roll call vote.

5.     **Certification of 2016 General Election Ballot:**

Mr. Leone made a motion to certify the 2016 General Election ballot. This was seconded by Mr. Horton and carried in a unanimous roll call vote.

6.     **Possible Passage of Polling Place Regulations:**

Mr. Leone moved to approve the new polling place regulations to be distributed at each polling site. This was seconded by Mr. DiMattio.

Dr. Foust commented on part “B” of the regulations regarding activities outside the polling place it states that signs may only be put in the ground. He stated that there are often people holding signs and he asked if this

September 29, 2016

precludes that they cannot do that, and also some areas where there is a larger parking area, they may have a sign on the back of their vehicle, and he wanted to know if these regulations preclude that as well. He commented that those are pretty much standard practice.

Mr. Breneman said it states they need to be ten feet from the entrance or they may be put in the ground.

Mr. Leone felt that it does not mean they cannot have those signs. They may be put in the ground unless disallowed by the organization whose property the polling place is on. He has seen polling sites where signs are put in but they shouldn't be put in without the approval of the owner of that particular place where people are voting.

Dr. Foust thought he may have read that wrong but felt it should be amended to read "signs can be put in the ground unless disallowed by the organization". It was discovered that those members at the meeting had a hard copy that already said that, but those who were participating in the meeting by phone had a copy that read differently. Dr. Foust's suggestion had already been put into the most current document.

Mr. Leone commented on media personnel not being allowed inside the polling place without permission by the Board of Elections or its agents. Mr. Leone suggested that they should indicate that the agent in this particular case would be the director of elections, which would be Doug Smith.

Mr. Breneman stated he could pen a letter as Chair of the Election Board that has Mr. Smith as the agent in making that decision. All members were okay with that suggestion.

Mr. Smith then spoke on item "D" of the regulations, stating it does include a person's ability to take a "ballot selfie", a picture of yourself and your ballot. There was a case in New Hampshire that just came down that prevented Boards of Election from prohibiting that particular activity. Mr. Smith felt that the Board is ahead of the curve on that. He stated that as long as the person is not disrupting the room and it's for their own purposes.

Mr. Breneman then asked about training of the poll workers to ensure there is continuity and Mr. Smith stated that these regulations would go out in every single bag that goes to the Judges of Election and the polls. Mr. Smith commented that there have been a few incidents over the last couple of elections involving questions about cell phones and whether they are permitted. In some cases, there have been people who have chosen bad points in which they want to get on their cell phone when they should be going into the voting booth. He

September 29, 2016

stated in a lot of ways this is just to clarify what is permitted and what isn't. Silent communication by cell phone by voters when they are in the booth – in other words texting. Mr. Breneman hopes that the workers read and understand it because the majority of the paragraph reflects not allowing cell phones, but at the end it states that they can under certain conditions. Mr. Smith stated they will do outreach prior to the election so all are clear on the regulations. Mr. DiMattio suggested putting an asterisk and bold the content to it catches the reader's eye.

Mr. DiMattio moved that these regulations be accepted with the amendments that were discussed. This was seconded by Mr. Horton and the amendments carried in a unanimous roll call vote.

The polling site rules and regulations, as amended, then carried in a unanimous roll call vote.

There being no further business, the meeting adjourned at 4:45 p.m.

Deneé M. Breter, Council Secretary